

## Chapter 19

### **CULTURAL RESOURCES**

#### **Article I. In General**

- Sec. 19-1. Title.
- Sec. 19-2. Violations; penalties.
- Sec. 19-3. Policy.
- Sec. 19-4. Excavating or exploring archeological site; taking objects.
- Sec. 19-5. Permit; conditions.
- Sec. 19-6. Archaeological officer.
- Sec. 19-7. Administrative regulations.
- Sec. 19-8. Fees; bonds.
- Sec. 19-9. Duty to report discoveries.
- Sec. 19-10. Defacing site or object.
- Secs. 19-11—19-38. Reserved.

#### **Article II. Memorial Hall**

- Sec. 19-39. Policy.
- Sec. 19-40. Manager.
- Sec. 19-41. Policies and procedures.



## ARTICLE I. IN GENERAL

### Sec. 19-1. Title.

This chapter shall be known as the "Antiquities Ordinance."

(Code 1981, § 19-1; Code 2012, § 19-1; Ord. No. SRO-102-86, § 10, 7-23-1986; Ord. No. SRO-402-2012, § 19-1, 5-30-2012)

### Sec. 19-2. Violations; penalties.

Any person violating any of the provisions of this chapter is guilty of an offense and shall upon conviction be punished by a fine not exceeding \$500.00 or by imprisonment for a period not to exceed six months, or both, and shall, in addition, forfeit to the Community all articles and material discovered, collected or excavated, together with all photographs and records relating to such objects.

(Code 1981, § 19-2; Code 2012, § 19-2; Ord. No. SRO-102-86, § 8, 7-23-1986; Ord. No. SRO-402-2012, § 19-2, 5-30-2012)

### Sec. 19-3. Policy.

It is the policy of the Community that sites within the external boundaries of the Community reflecting historic or prehistoric evidence of human activity shall be preserved so that members of the Community and others may gain greater knowledge concerning the historic and prehistoric habitation of the Community.

(Code 1981, § 19-3; Code 2012, § 19-3; Ord. No. SRO-102-86, § 1, 7-23-1986; Ord. No. SRO-402-2012, § 19-3, 5-30-2012)

### Sec. 19-4. Excavating or exploring archaeological site; taking objects.

No person, except when acting pursuant to a duly issued permit as provided for in section 19-5, shall excavate in or upon any historic or prehistoric ruin or monument, burial ground or site, including fossilized footprints, inscriptions made by human agency, or other archaeological or historical features, situated on lands within the external boundaries of the Community, nor shall

any person not a holder of a permit as provided in section 19-5 explore for or take any object of antiquity from such site.

(Code 1981, § 19-4; Code 2012, § 19-4; Ord. No. SRO-102-86, § 2, 7-23-1986; Ord. No. SRO-402-2012, § 19-4, 5-30-2012)

### Sec. 19-5. Permit; conditions.

Permits for the exploration and excavation of sites described in section 19-4 may be issued by the archaeological officer of the Community only to reputable museums, universities, colleges or other recognized scientific or educational institutions, scientists or their duly authorized agents, or other qualified archaeological research organizations. Such permits may be issued on condition that the permittee will restore the site excavated to the condition it was in prior to the excavation or such modification of such condition as may be appropriate, upon the condition that any objects of antiquity found in exploration and excavation be and remain the property of the Community to be held by the Community through its appropriate agencies or lent by the Community to such other appropriate agencies for such period of time as seems reasonable to the archaeological officer of the Community, and upon such other conditions as the archaeological officer of the Community shall require or as shall be required by regulations adopted pursuant to this chapter. No permit shall be issued for a period of more than one year, but permits may be renewed.

(Code 1981, § 19-5; Code 2012, § 19-5; Ord. No. SRO-102-86, § 3, 7-23-1986; Ord. No. SRO-402-2012, § 19-5, 5-30-2012)

### Sec. 19-6. Archaeological officer.

The director of the Community development department or that director's designee shall be the archaeological officer of the Community.

(Code 1981, § 19-6; Code 2012, § 19-6; Ord. No. SRO-102-86, § 4, 7-23-1986; Ord. No. SRO-402-2012, § 19-6, 5-30-2012)

### Sec. 19-7. Administrative regulations.

The director of the Community development department shall, within 120 days of the enactment of this chapter, propose to the Community

Council regulations not inconsistent with this chapter for the administration of this chapter. The proposed regulations shall be deemed adopted, as they may have been modified by the Community Council, as of a date 30 days after the date of submission to the Community Council. The regulations may be amended from time-to-time by the same process as required for adoption. (Code 1981, § 19-7; Code 2012, § 19-7; Ord. No. SRO-102-86, § 11, 7-23-1986; Ord. No. SRO-402-2012, § 19-7, 5-30-2012)

#### **Sec. 19-8. Fees; bonds.**

(a) A uniform fee equal to \$25.00 per week for each of the weeks for which a permit is to be issued shall be charged to the permittee. Payment of the fees shall be made for the total period of the permit at the time of the issuance of the permit. The fee is not payable for issuance of a permit to the Community or any person or entity as described in section 19-5 who is retained by the Community.

(b) The permittee shall, prior to the issuance of the permit, post a bond payable to the Community either in cash or its equivalent, or by a surety acceptable to the Community, in an amount sufficient to ensure the restoration of the sites to be explored and excavated, to ensure that all antiquities discovered in such exploration and excavation will be promptly turned over to the Community, and to ensure performance of all the conditions of the permit, or in such other amount as may be determined by the archaeological officer. (Code 1981, § 19-8; Code 2012, § 19-8; Ord. No. SRO-102-86, § 5, 7-23-1986; Ord. No. SRO-402-2012, § 19-8, 5-30-2012)

#### **Sec. 19-9. Duty to report discoveries.**

Any person in charge of any survey, excavation or construction on any lands within the Community shall report promptly to the archaeological officer of the Community the existence of any archaeological or historical site or object discovered in the course of such survey, excavation or construction and shall take all reasonable steps to secure its preservation. The archaeological officer may determine that all such survey, excavation or

construction actions shall cease pending an investigation of the discovery of any such site or object. (Code 1981, § 19-9; Code 2012, § 19-9; Ord. No. SRO-102-86, § 6, 7-23-1986; Ord. No. SRO-402-2012, § 19-9, 5-30-2012)

#### **Sec. 19-10. Defacing site or object.**

No person, institution or corporation shall deface or otherwise alter any site or object embraced within the terms of section 19-5, except as has been specifically provided for in the permit granted pursuant to section 19-5. (Code 1981, § 19-10; Code 2012, § 19-10; Ord. No. SRO-102-86, § 7, 7-23-1986; Ord. No. SRO-402-2012, § 19-10, 5-30-2012)

#### **Secs. 19-11—19-38. Reserved.**

### **ARTICLE II. MEMORIAL HALL**

#### **Sec. 19-39. Policy.**

(a) It is the policy of the Community that the Memorial Hall shall be made available to all Community members, regardless of affiliation with a religious denomination or whether affiliated with a religious denomination, for the primary purpose of conducting wakes, funerals, and traditional memorial or reburial services.

(b) The Memorial Hall may not be used for purposes other than those identified in subsection (a) of this section.

(c) During reburial services, the Memorial Hall shall be closed to anyone other than those affiliated with the reburial services. (Code 1981, § 19-31; Code 2012, § 19-31; Ord. No. SRO-297-2003, 9-3-2003; Ord. No. SRO-402-2012, § 19-31, 5-30-2012)

#### **Sec. 19-40. Manager.**

(a) The position of the Memorial Hall manager is hereby established within the department of public works. The Memorial Hall manager or his or her delegate shall be available around the clock for the purposes of this article.

(b) The Memorial Hall manager's duties include, but are not limited to, scheduling use of the Memorial Hall, assisting families of the deceased in coordinating with Community departments or other entities for assignment of burial plots, financial assistance, and selection of a funeral home. The Memorial Hall manager shall make available pamphlets, handouts, and the like that contain information relating to the preceding sentence.

(c) Community member preference applies in filling the position of Memorial Hall manager.  
(Code 1981, § 19-32; Code 2012, § 19-32; Ord. No. SRO-297-2003, 9-3-2003; Ord. No. SRO-402-2012, § 19-32, 5-30-2012)

**Sec. 19-41. Policies and procedures.**

(a) The Community's department of public works is responsible for operating, securing, and maintaining the Memorial Hall.

(b) The Community manager may, from time-to-time, issue policies and procedures for implementing this article. Such policies and procedures shall not be inconsistent with this article. Prior to issuing such policies and procedures, the Community manager shall consult with the Memorial Hall manager, the public works director, the Memorial Hall committee if available, and all other interested departments, and shall provide at least 30 days' public notice.

(Code 1981, § 19-33; Code 2012, § 19-33; Ord. No. SRO-297-2003, 9-3-2003; Ord. No. SRO-402-2012, § 19-33, 5-30-2012)

